

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>STEPHEN MIDDLEBROOKS</b>	<b>:</b>	<b>CIVIL ACTION</b>
	<b>:</b>	
<b>v.</b>	<b>:</b>	<b>NO. 17-412</b>
	<b>:</b>	
<b>TEVA PHARMACEUTICALS USA, INC., et al.</b>	<b>:</b>	
	<b>:</b>	

**ORDER**

**AND NOW**, this 16<sup>th</sup> day of November 2018, upon considering Plaintiff's Motion requesting a mixed-motive jury instruction (ECF Doc. No. 111), Defendants' Response (ECF Doc. No. 113), following argument with counsel, and the direct and indirect trial evidence which may allow a jury to find a legitimate or illegitimate reason for Defendants' termination of the Plaintiff based on his national origin under Title VII, it is **ORDERED** Plaintiff's Motion (ECF Doc. No. 111) is **GRANTED** and we will present a mixed-motive jury instruction as an alternative to the pretext jury instruction relating to the national origin claim under Title VII.



**KEARNEY, J.**